

No. 7:15-CR-9-D-9

Defendant.

ORDER

On June 2, 2015, pursuant to a written plea agreement, Danielle Nicole Jones (“Jones”) pleaded guilty to conspiracy to distribute and possess with intent to distribute one kilogram or more of heroin. See [D.E. 190, 192]. On April 25, 2016, the court held Jones’s sentencing hearing. See [D.E. 320, 332]. At the hearing, the court adopted the facts set forth in the Presentence Investigation Report (“PSR”) [D.E. 314]. The court calculated Jones’s total offense level to be 27, her criminal history category to be IV, and her advisory guideline range to be 120 to 125 months’ imprisonment. See [D.E. 333]. After granting the government’s motion under U.S.S.G. § 5K1.1 and thoroughly considering all relevant factors under 18 U.S.C. § 3553(a), the court sentenced Jones to 78 months’ imprisonment. See [D.E. 332] 2, 4.


On February 20, 2018, and on April 5, 2018, Jones moved for a sentence reduction under Amendment 782 to the Sentencing Guidelines, U.S.S.G. § 1B1.10(c), and 18 U.S.C. § 3582. See [D.E. 471, 476]. On May 29, 2018, the government responded in opposition. See [D.E. 484].

Jones's motion fails. Amendment 782 became effective on November 1, 2015. See U.S.S.G. § 1B1.10(e). The court sentenced Jones on April 18, 2016, and the court applied Amendment 782 when sentencing her. See PSR ¶ 56. Accordingly, the court denies Jones's motions under

Amendment 782. See 18 U.S.C. § 3582(c)(2); Chavez-Meza v. United States, No. 17-5639, 2018 WL 3013811, at *4–7 (U.S. June 18, 2018); United States v. Muldrow, 844 F.3d 434, 438 (4th Cir. 2016); United States v. Peters, 843 F.3d 572, 577–81 (4th Cir. 2016).

In sum, the court DENIES Jones's motions for reduction of sentence [D.E. 471, 476].

SO ORDERED. This 10 day of June 2018.



JAMES C. DEVER III
Chief United States District Judge